

FIRE PROTECTION POLICY BOARD
Meeting Minutes
December 7, 2001
General Administration Building
Olympia, WA

Board Members Present: Chair Sharon Colby, T.J. Nedrow, Jim Broman, Mark Kahley, Joseph Coultman, Pam Sullivan and Jim Potts

WSP Staff Present: State Fire Marshal Mary Corso, Ellen Tombleson, Barb Gagner, George Quick, Dick Smith, Mike Patti, Roger Woodside, Angie Peterson, Sally Hunter and Carol Smith-Merkulov

Guests Present: Duane Malo and Pete Spiller

OPENING -

Board Chair Sharon Colby called the meeting to order at approximately 10:00 a.m. Introductions were made and the agenda was approved as written.

Jim Potts moved, and Pam Sullivan seconded to approve the minutes from November 9, 2001. Motion carried unanimously. The minutes from the November 9, 2001, meeting were approved as written.

STATE FIRE MARSHAL REPORT – State Fire Marshal Mary Corso reported on the following items:

Firefighter I Program - Mr. George Quick provided an overview on the transition of the delivery of Recruit School from Bates Technical College back to the Fire Training Academy. A Steering Committee was formed, with a broad spectrum of fire service representation. The Steering Committee was initially formed by invitation, but as interest was expressed, members were added. Barb Gagner advised that an article would be placed in the Regional Network News, advising of the work the committee was doing, with the advisement that anyone who was interested could join in. The Steering Committee held an initial meeting on November 15, 2001. At this meeting, the Committee displayed broad support for the Recruit School. The Committee categorized issues into 3 major topics, including: consistency of instruction, instructor training and development, and logistical support for the Recruit School. The Basic Firefighter I Program will be used as a baseline, with additional classes added. There was an emphasis placed on hands-on practice. The Committee will hold a two-day meeting December 11-12, in Olympia. In preparation for this meeting, staff collected information from Spokane, Seattle, Tacoma, and Bellevue Recruit Schools to identify what is working, what is not working and to become aware of common pitfalls. Other issues to be discussed include wellness and fitness policies, proposed curriculum and course outlines. Joe Coultman questioned if there will be a physical agility standard established, and what the standard would be. George Quick advised that this issue will also be discussed at the December 11-12 meeting, with the goal of keeping it as standard as possible. Jim Broman questioned if the model would be made available to other Recruit Academies throughout the state, as he had a concern regarding consistency. Jim also advised that he was aware of criticisms of past academies involving the military model that was used. George advised that there was agreement that the emphasis would be placed on training, not punishing. As other professions have pre-hiring pre-requisites, some fire departments have expressed an interest in using the FF1 certification as a pre-requisite. Joe Coultman requested to go on record as disagreeing with the Firefighter I prerequisite. During a discussion regarding EMS, George advised that EMS would possibly be an additional module. In response to a question by TJ Nedrow, George advised that a schedule of equipment replacement would be developed based on the equipment inventory that was conducted by FTA staff. TJ pointed out that he did not see anyone other than a paid firefighter on the committee list, and encouraged George to identify someone from the volunteer fire service to participate on the committee. TJ will work with George on this.

- **Introduction of WSP Chief** - Washington State Patrol Chief Ronal Serpas was introduced to the Fire Protection Policy Board. He shared his background, and stated his support of State Fire Marshal Mary Corso and the activities of the Fire Protection Policy Board and the Fire Protection Bureau. He requested that if the Board was aware of any issues he might need guidance on, that they contact him.
- **Fire Training Academy** – Dick Smith advised that the ventilation system in 3 classrooms is anticipated to be completed by the end of 2001, at an estimated cost of \$15,000. The residential kitchen was inspected by the King County Fire Marshal’s Office, and the hood system was found to be in violation of the code. Since that time the caterer has not been able to use the grill for preparing meals. Upgrades to the hood system are anticipated to be completed by February. Mary Corso advised that the funding that was secured includes repairs and replacements to the shipboard firefighting prop. Repairs to the burn building were allotted, and is included in the portion of the capitol budget that is currently frozen.

MOTION: Jim Broman made a motion that the Fire Protection Policy Board formally communicate to the Chief the urgency and the importance of carrying out the safety repairs to the burn building. Motion seconded by Joe Coultman. **Motion carries. Unanimous.**

Mary advised that the process is in place for recruiting for the Drill Master position, which was left vacant by Darrell Orndorff’s retirement. Also in process is the hiring of an Assistant Academy Administrator. Mary urged the Board to notify her of anyone they knew who might be qualified and interested in either position. A copy of the Assistant Academy Administrator will be forwarded to members of the Board.

- **Fire Training Academy Fee Study** – Sally Hunter and Angie Peterson, of the WSP Budget and Fiscal Section, provided an overview of the process taken to review the fees charged at the Fire Training Academy. Sally outlined that the FTA is unique facility, not only to the WSP, but also to the state, as it is basically run on an enterprise basis. The FTA has to raise, through fees charged to students, all money that is spent out of the Fire Service Trust Account. All costs associated with conducting a class at the Academy, must be recovered. Sally further advised that the fee study they are presenting is meant to be a starting point for discussion, not a quick fix. Sally also advised that they are trying to get the fee studies conducted on a regular basis, so they happen with some consistency, and could be expected every two years. Angie Peterson advised that the objective of the fee study was to compare the costs of conducting training to rates charged for FTA services during the 1999-2001 Biennium, and to advise the FPB and agency management on options for adjustment in rates necessary to recover costs for providing services. The FTA is primarily supported by fees charged to users and deposited in the Fire Service Trust Account. During the 99-01 biennium, the FTA spent \$3,951,000 of which \$2,965,000, or 75%, came from the FSTA. The remaining 25% of the funds were spent from the General Fund and the State Toxics Control Account. Summary information resulting from the fee study indicates that rates for public users only recover 50% of course costs, and have not been adjusted for years; over time, the number of Navy and private classes may be insufficient to subsidize public users; the reduction in the Navy contract may negatively impact revenues, and the FTA will likely operate at a loss unless there is a movement towards equitable rate adjustments and a larger subsidy is provided. As a result of the fee study, the following recommendations were developed:
 - Fee Increase – Make annual increases in all rates consistent with I-601 growth factors for FY 2003 (July 2002 – June 2003). The factor is 3.29% in FY 2003.

- Budget Request – In the 2003 –2005 budget cycle, prepare a budget request for a larger on-going subsidy to cover basic costs at the FTA.
- Study other funding models

Mary Corso advised that she is looking at other states to see how they are funding their firefighter training. Jim Broman advised that the Washington State Association of Fire Chiefs would be sending a letter to Chief Serpas, requesting that a strategic process be convened to deal with the training issues statewide.

OLD BUSINESS

- ***Fire Protection Policy Board Statutes*** – Pete Spiller advised that a private attorney (Clark Snure) was hired on behalf of the Washington Fire Commissioners Association to review all the statutes of the Fire Protection Policy Board. Mr. Spiller feels that the Board has authority to adopt rules and set the budget. Carol Smith-Merkulov, the agency’s Assistant Attorney General, states in reviewing all Fire Protection Policy Board statutes, there is no language that gives specific authority to the Fire Protection Policy Board to adopt rules. Carol explained the background and required specific language granting authority to write rules. Carol further advised that the Director of Fire Protection Services has limited rule making authority, and that the Fire Protection Policy Board can advise or recommend in the rule making process. She further offered to review all the statutes and identify all the “shall” and mandating language that gives the Fire Protection Policy Board specific authority to do something, and provide the information to the Board for their review. Sharon Colby requested that in the course of Carol’s review, that she provide options or explanations on what the “shalls”, or “shall nots” dictate.

Sharon advised that at the next work session, it is her intent to have the Board review the entire Fire Protection Master Plan step by step, in order to formulate a future plan of action.

• COMMITTEE REPORTS

State Fire Defense Committee - State Fire Marshal Mary Corso advised that the State Fire Defense Committee is currently engaged in developing the three-year Washington State Fire Services Resources Mobilization Plan. Mary also distributed a copy of a three-year study of the fire mobilizations that have taken place in the state of Washington, which details the time spent on the mobilizations and the timeframes of the fires. This study shows that the fire seasons seem to have become progressively complex.

E-911 Advisory Committee – Jim Potts advised that the E-911 Advisory Committee is moving ahead to develop legislation that would put the other \$.45 on cell phones, to bring them up to the same level as wire lines. Wire lines are currently charged at \$.70 per phone, of which \$.50 goes to the counties and \$.20 goes to the state. On wireless phones, there is \$.25 that can be charged. With the new \$.45 charge, another \$.25 would go to the counties, and .20 would go to the state. Jim Potts feels that the fire service is behind this legislation. Jim feels that this legislation has a good chance of passing this year. Jim Broman pointed out that in the past, there may have been the perception that the new charge would just go to the vendors, and not be funneled to the counties for resources and services. Jim advised that in this year’s legislation, the charge does not go to the vendors. Jim Potts also advised that there is a possibility of the 1/10 of 1% for communications. Duane Malo advised that he checked on this bill and it is already moving. This is not a tax, but a local government option to go to the voters to ask for 1/10 of 1%. It would have to be voter approved.

REVIEW OF PENDING LIST

HazMat-Decontamination Response- Mary contacted Jim on this issue, they had a telephone conversation, in which they focused in on the issue that the elements that needed to be included principally are a good policy statement from informed people on how this needs to be carried out. The other issues are

training and equipment. They also discussed where this needs to go next. Mary feels that the EMC's Committee on Terrorism is dealing with these very issues; decontamination and training for first responders, and well beyond. Mary suggests that the Committees who are dealing with the equipment and training pieces of terrorism be asked to establish a policy and training, to bring back to the Board as a report. Mary advised that the COT has just finished with the vulnerability assessment and the three-year strategy. They are now in the process of identifying standard interoperability equipment and training protocols. She feels that in three months there would be something to report on which direction they will be moving towards, and what federal funding will be becoming available. This issue will be re-visited in the spring of 2002.

Public Duty Doctrine - Assistant Attorney General Carol Smith-Merkulov sent an e-mail to the Fire Protection Policy Board on December 3, advising that while there has been considerable verbal advice by the Attorney General's Office regarding the impact of the Babcock case (decided by the state Supreme Court on September 13, 2001) there have not been any memos discussing its import. Carol feels it is fair to say that the public duty doctrine is still limited to those injured individuals to whom a specific duty is owed, not merely where there was a breach of an obligation owed to the public in general. Carol also feels that it is likely that we will see The Supreme Court do away with the Public Duty Doctrine, and instead just analyzing cases under regular liability principles.

Fire Mobilization Meeting – Joe Coultman gave an overview of the meeting that he and TJ Nedrow attended, as representatives of the Fire Protection Policy Board. Joe felt that one of the issues that were discussed, which has a direct affect on the career and volunteer firefighter, relates to the wildland firefighter certification. One of the big problems with the career firefighters involves the requirement of taking the training and then participating in a mobilization. He feels that this may be a challenge, as the participation comes from a pool. Joe advised that the possibility of relaxing this restriction will be further discussed at the next meeting of this group, scheduled for January 11. Joe also pointed out that the information in the three-year Washington State Fire Services Resources Mobilization Plan, which Mary distributed earlier in the meeting, it appears that Spokane has greatly mitigated their wildfire activity. The steps that Spokane has undertaken in their mitigation efforts will be reviewed to determine how their efforts can be duplicated in other parts of the state. Joe advised that the issues he feels needs to be discussed by the Fire Protection Policy Board includes funding issues. Joe also advised that the all-risk aspect of the plan needs to be further examined, in preparation for incidents, other than wild fires. At the February 20, 2002 Fire Protection Policy Board meeting, Joe will provide an update report of the January 11 meeting. Mary advised that she has been charged with developing a report for the Governor. Sharon Colby requested that Mary Corso verify the process for submitting the report, if it needs to go to the Board first. Jim Broman clarified that the activities of the workgroup were stimulated by the Governor, when he directed the State Fire Marshal's Office to convene a group of stakeholders to develop recommendations.

NEW BUSINESS

2002 Schedule – Dates and frequency of meetings and work sessions were discussed. Items to be considered include budget constraints. There is not a specific budget for FPPB activities. These expenses come out of the Bureau's General Fund Account. Sharon recommended holding all meetings in Olympia, as this location seems to be most centrally located for the majority of the Board members. Jim Broman proposed holding four regular business meetings, and four work sessions in 2002. Jim further proposed that the four business meetings be held each quarter in February, May, August and November, with the four work sessions held in the months pre-ceding the business meetings. In discussion regarding the work sessions, Jim Broman advised that he would prefer to have an agenda for the work sessions, with the understanding that most of the time would be spent in discussion, and that formal action would not be taken at the work sessions. Jim Potts added that he feels it is important that notification is given that formal action will not be taken at any work sessions. In discussing

the necessary length of the work sessions, T.J. advised that he felt that a work session with any focus would not be achievable in a half day. Pam Sullivan shared her feeling that a work session is necessary to establish agenda and decision items to be handled at the next regular business meeting. All Board members agreed that a 9:00 start time for the meetings would be most productive. Jim Broman clarified that the reason he was suggesting having the work session precede the board meeting by a month, was to allow for time to meet with the association he represents to reflect on the issues, to frame issues, and to have discussions with constituents, allowing for informed decisions.

MOTION: It was moved and seconded to adopt the following dates/times/locations for the 2002 Meeting Schedule:

Regular Business

February 20, 2002	9:00	G.A. Building Room G-3 – Olympia, WA
May 15, 2002	9:00	G.A. Building Room G-3 – Olympia, WA
August 21, 2002	9:00	G.A. Building Room G-3 – Olympia, WA
November 20, 2002	9:00	G.A. Building Room G-3 – Olympia, WA

MOTION: It was moved and seconded to adopt the following dates/times/locations for the Schedule:

2002 Work Session

January 10, 2002	9:00	WSP Conference Room – Olympia, WA
April 17, 2002	9:00	G.A. Building Room G-3 – Olympia, WA
July 17, 2002	9:00	G.A. Building Room G-3 – Olympia, WA
October 16, 2002	9:00	G.A. Building Room G-3 – Olympia, WA

Both motions carry. Unanimous.

In additional discussion, it was clarified and agreed that special meetings would be called as necessary.

Budget - Mary Corso reviewed the information on the budget, which was included in the Board packets. The first page includes the Budget Program Index Key, the second page details the budgets for the various bureau contracts and interagency agreements. Following are color-coded sheets which detail the allotment budget for each program for the next 12 months.

NEXT WORK SESSION

January 10, 2002 – 9:00 a.m.
General Administration Building
WSP Conference Room
Olympia, WA

NEXT BUSINESS MEETING:

February 20, 2002 – 9:00 a.m.
General Administration Building
Room #G-3
Olympia, WA

Reviewed by E-mail

Sharon Colby
Fire Protection Policy Board Chair

(Date)